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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/507,335

09/10/2004

Frithiof Jensen

P15230-US1

2856

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12/11/2007

ERICSSON INC.
6300 LEGACY DRIVE
M/S EVR 1-C-11
PLANO, TX 75024

EXAMINER

MANDADI, YESHOROCHAN K

ART UNIT

PAPER NUMBER

4177

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/507,335	Applicant(s) JENSEN, FRITHIOF	
	Examiner Yeshorohan K. Mandadi	Art Unit 4177	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 09/10/2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 18-31 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 18-31 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 10 September 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>09/10/2004</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. **Claims 18 – 20, 24 – 26, and 30**, are rejected under 35 U.S.C. 102 (b) as being anticipated by **S. Deering et al., RFC 2460, 12/1998**.

Regarding **claims 18 and 24**, Deering teaches a method and circuit of coding data in a data package in a data stream, said data package containing information on a source of origin and a destination for the data package, wherein the coding takes place in a coding system containing a plurality of coding algorithms, wherein: **[Deering: Section 3, Ipv6 Header Format; Section 4, Paragraph 1]**

an identification system attaches information to the data package, said information being provided from said information on the source of origin of the data package and its destination; **[Deering: Section 3, Ipv6 Header Format]**

the coding system utilizes said attached information to select one of said plurality of coding algorithms; and **[Deering: Section 4, Paragraph 2]**

the coding system codes said data according to the selected coding algorithm. **[Deering: Section 4, Paragraph 1. Deering explains the use of**

extension headers (identification marks), which codes the data differently based upon the number of extension headers used.]

Regarding **claims 19 and 25**, Deering teaches the method and circuit according to claims 18 and 24, wherein said data package is formed by an Internet protocol **[Deering: Section 1, Expanded addressing capabilities]**

Regarding **claims 20 and 26**, Deering teaches the method and circuit according to claims 19 and 25, wherein the source of origin and the destination comprise Internet protocol addresses **[Deering: Section 3. Deering teaches in this section the use of source address and destination addresses, which are both 128-bit IP addresses]**

Regarding **claim 30**, Deering teaches the circuit according to claim 24, wherein the circuit comprises means for indexing a coding algorithm from an identification mark. **[Deering: Section 4, Paragraph 1 and 2]**

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. **Claims 21, 23, 27, and 29** are rejected under 35 U.S.C. 103(a) as being unpatentable over **S. Deering et al., RFC 2460, 12/1998** in view of **Shaffer et al, (US Patent 6,757,277)**.

Regarding **claims 21 and 27**, Deering teaches the method and circuit according to claims 18 and 24, wherein at least one coding algorithm is used.

[Deering: Section 3, Ipv6 Header Format; Section 4, Paragraph 1]

However, Deering fails to specifically disclose that the coding algorithm is one that can be coded in a GSM system.

In related prior art Shaffer teaches a coding algorithm that is of a type that can be coded in a GSM system. **[Shaffer: Col 1, 11 – 18]**

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the coding algorithm of Deering with the GSM coding algorithm of Shaffer in order to provide a transitional communication method from one endpoint to the other.

Regarding **claims 23 and 29**, Deering teaches the method and circuit according to claims 18 and 24, wherein at least one coding algorithm is used.

[Deering: Section 3, Ipv6 Header Format; Section 4, Paragraph 1]

However, Deering fails to specifically disclose that the coding algorithm is one that can be coded in a PSTN system.

In related prior art Shaffer teaches a coding algorithm that is of a type that can be coded in a PSTN system. **[Shaffer: Col 4, 11 – 20]**

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the coding algorithm of Deering with the PSTN coding algorithm of Shaffer in order to provide a transitional communication method from one endpoint to the other.

5. **Claims 22 and 28** are rejected under 35 U.S.C. 103(a) as being unpatentable over **S. Deering et al., RFC 2460, 12/1998** in view of **Barakat et al. (US PG PUB 2003/0040310)** .

Regarding **claims 22 and 28**, Deering teaches the method and circuit according to claims 18 and 24, wherein at least one coding algorithm is used.

[Deering: Section 3, Ipv6 Header Format; Section 4, Paragraph 1]

However, Deering fails to specifically disclose that the coding algorithm is one that can be coded in a UMTS system.

In related prior art Barakat teaches a coding algorithm that is of a type that can be coded in a UMTS system. **[Barakat: P7, 11 – 14]**

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the coding algorithm of Deering with the UMTS coding algorithm of Barakat in order to provide a transitional communication method from one endpoint to the other.

6. **Claim 31**, is rejected under 35 U.S.C. 103(a) as being unpatentable over **S. Deering et al., RFC 2460, 12/1998** in view of **Yajima et al. (US Patent 5873058)**.

Regarding **claim 31**, Deering teaches the circuit according to claim 24.

[Deering: Appendix A, Paragraph 6 – 7]

However Deering fails to specifically disclose that said circuit contains a digital signal processor.

In related prior art Yajima, teaches that the circuit comprises a digital signal processor. **[Yajima: Col 42, 66 – 67; Col 43, 1 – 5, 9 – 15, 18 – 20]**

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the teachings of Deering to include the circuit and digital signal processor of Yajima in order to reduce the amount of computing time.

Conclusion

7. Any response to this Office Action should be **faxed** to (571) 273-8300 or **mailed to:**

Commissioner for Patents ,
P.O. Box 1450
Alexandria, VA 22313-1450

Hand-delivered responses should be brought to
Customer Service Window
Randolph Building
401 Dulany Street
Alexandria, VA 22314

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Yeshorohan K. Mandadi whose telephone number is (571) 270-1658. The examiner can normally be reached on M-T(8am-5pm) EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Benny Tieu can be reached on (571) 272 - 7490. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Yeshorohan K. Mandadi
\\Yeshorohan Mandadi\\

/Benny Q Tieu/
Supervisory Patent Examiner, Art Unit 4177